

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 26, 2016

KAREN R. BAKER, JUSTICE

[CV-15-966](#). Gerber Products Company d/b/a Nestlé Infant Nutrition d/b/a Nestlé Nutrition USA d/b/a Nestlé Nutrition USA–Infant Nutrition d/b/a Nestlé Nutrition USA–Performance Nutrition v. David Hewett II, Aaron Johnson, James Lane, Ralph Larossa, Jr. and Jerry Osborne, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Brill, C.J., and Hart and Wood, JJ., dissent.

[CV-16-121](#). Roy Lee Russell v. Wendy Kelley, Director, Arkansas Department of Correction, from Chicot County Circuit Court. Affirmed.

PER CURIAM OPINIONS

[CR-15-1048](#). Bruce Allen Echols v. State of Arkansas, from Saline County Circuit Court. Affirmed; petition for writ of mandamus denied; motions moot.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 26, 2016

PER CURIAM ORDERS

REHEARING DENIED: Petition for rehearing was denied today in the following case.

CV-15-636. Tom Muccio; Mike Muccio; and Next Chapter Resources, LLC v. Johnelle Hunt; Phil Phillips; David Schumacher; Trey Trumbo; Johnelle Hunt, LLC; Phil and Judy Phillips Family Limited Partnership, LLLP; and Big Horn Lodge Financing, LLC, from Pulaski County Circuit Court, Sixth Division.

REVIEWS DENIED: Petitions for review were denied today in the following cases.

CV-15-865. Kristine Tran v. Director, Department of Workforce Services, from the Arkansas Board of Review.

CV-16-118. Scott Davis v. Lavonna Joy Davis, and Families, Inc. of Arkansas, from Craighead County Circuit Court, Western Division. Hart, J., would grant.

CV-16-135. Carl Wilhelm v. Chuck Parsons, Ray Parsons, Linda Parsons, and Chuck's Metal Buildings, Inc., from the Arkansas Workers' Compensation Commission.

CV-16-375. Kathy Roberts and Karen McShane v. Unimin Corporation, from the United States District Court, Eastern District of Arkansas, Western Division. Motion to certify a question of law is denied. [Brill, C.J.](#), and [Danielson, J.](#), dissent and would accept and answer the certified question. Wynne, J., would accept.

CV-16-388. Benton Ned Bass v. Vicky Bass Haynes and Garland County Circuit Court, from Garland County Circuit Court. Petitioner's petition for writ of certiorari is denied.

CV-16-418. David Couch v. Leslie Rutledge, in Her Capacity as Attorney General for the State of Arkansas, an Original Action. Motion to expedite and motion for temporary restraining order and preliminary injunction. Motion to expedite is granted; motion for temporary restraining order and preliminary injunction is denied. Petition is dismissed. Danielson, J., would grant the petition. (Proceedings of May 19, 2016)

CV-16-445. Steven Higgins v. Pulaski County Circuit Court and Cassandra Crofford, from Pulaski County Circuit Court, Fifteenth Division. Petitioner's petition for writ of prohibition is denied. Danielson, J., would deny without prejudice.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 26, 2016

PER CURIAM ORDERS

CV-16-445. Steven Higgins v. Pulaski County Circuit Court and Cassandra Crofford, from Pulaski County Circuit Court, Fifteenth Division. Petitioner's motion for stay is moot.

CR-05-472. Wallace Gardner v. State of Arkansas, from Pulaski County Circuit Court, Sixth Division. Appellant's pro se motion for production of all tendered documents treated as motion for copies at public expense and denied.

CR-15-978. Robert L. Washington v. State of Arkansas, from Saline County Circuit Court. Appellee's motion to dismiss pro se appeal of November 3, 2015, denying Rule 37.1 petition. Motion to dismiss granted; appeal dismissed.

[CR-16-77](#). Anthony Lamont Randle v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellee's motion to dismiss for lack of jurisdiction and alternatively, motion for extension of time. Motion granted in part and moot in part; appeal dismissed. See **per curiam** this date.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 26, 2016

MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CR-16-195. Tiandre Cardenas-Haliburton v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division.

CV-15-557. George M. Stokes, Sr. v. Mason F. Stokes, from Chicot County Circuit Court.

CV-15-745. Timothy Whaley v. Pam and Don Beckham, from Lonoke County Circuit Court.

CV-15-804. Columbia Insurance Group, Inc., and Columbia Mutual Insurance Company, Inc. v. Cenark Project Management Services, Inc.; Arkansas Infrastructure, Inc.; David Barron; Michael Collings; Janice Collings; Kim Collings; Debra Collings; Kenneth Winberg; Marianne Winberg; Guy Collings; Catherine Collings; William Miles; Kay Miles; and K. George Collings, from the United States District Court for the Eastern District of Arkansas, Western Division

CV-15-816. Jessie Hill v. Richard H. Gallagher, Custodian of Records, Arkansas State Crime Laboratory, from Jefferson County Circuit Court.

PETITIONS FOR REVIEW:

CR-16-328. Matthew Aaron Burr v. State of Arkansas, from Benton County Circuit Court.

CR-16-366. Marcus O. Millsap v. State of Arkansas, from Pope County Circuit Court.

CR-16-390. Cory Douglas Fletcher v. State of Arkansas, from Benton County Circuit Court.

CV-16-144. Marilyn Curry Troutman v. Ronald Troutman, from Washington County Circuit Court.

CV-16-151. Gregory L. Pelts v. Shelly A. Pelts, from Lonoke County Circuit Court.

CV-16-180. Watson Chapel School District v. June Vilches, from Jefferson County Circuit Court.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 26, 2016

MOTIONS SUBMITTED

CR-15-68. Latavious D. Johnson v. State of Arkansas, from Lee County Circuit Court. Appellant's motion for stay of mandate in order to petition for writ of certiorari.

CR-16-412. Rickey Dale Newman v. Crawford County Circuit Court, from Crawford County Circuit Court. Petitioner's petition for writ of certiorari.

CR-16-432. Nicholas R. Holloway v. State of Arkansas, from Lonoke County Circuit Court. Appellant's motion for rule on clerk and to proceed in the Lonoke County Circuit Court on petition for writ of error coram nobis.

CV-15-850. Christopher Foster v. Leah Foster, from Garland County Circuit Court. Appellant's motion to permit supplemental briefing and memorandum of authorities.

CV-15-1045. Antonio Martini v. Christopher Price, from Faulkner County Circuit Court. Appellee's motion to substitute counsel.

CV-16-153. Arkansas Department of Human Services v. Gloria Daniel, from Pulaski County Circuit Court, Sixth Division. Joint motion to dismiss appeal and cross-appeal.

CV-16-233. Truman Arnold Companies v. Miller County Circuit Court and Teresa Jones, from Miller County Circuit Court. Petitioner's unopposed motion to supplement the record.

CV-16-234. Truman Arnold Companies v. Miller County Circuit Court and Patricia J. Adams, from Miller County Circuit Court. Petitioner's unopposed motion to supplement the record.

CV-16-249. Hiawatha J. Covington v. United States of America, Rural Housing Service, from Hempstead County Circuit Court. Appellant's motion to reconsider indigency.

CV-16-434. Teresa Bloodman v. Stark Ligon, as Executive Director of the Supreme Court Committee on Professional Conduct. Petitioner's pro se petition for a writ of certiorari to lodge the record, and in the alternative, petition for writ of mandamus.

D-16-447. In Re Jerry E. Rose, Arkansas Bar No. 81138, an Original Action. Petition of Jerry E. Rose, Arkansas Bar No. 81138, for voluntary surrender of license (resignation).

D-16-448. In Re Tina Marie Hodne, Arkansas Bar No. 2003033, an Original Action. Petition of Tina Marie Hodne, Arkansas Bar No. 2003033, for voluntary surrender of license (resignation).

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 26, 2016

MOTIONS SUBMITTED

D-16-449. In Re Debra F.J. Lee, Arkansas Bar No. 80193, an Original Action. Petition of Debra F.J. Lee, Arkansas Bar No. 80193, for voluntary surrender of license (resignation).

D-16-450. In Re Lazar M. Palnick, Arkansas Bar No. 83140, an Original Action. Petition of Lazar M. Palnick, Arkansas Bar No. 83140, for voluntary surrender of license (resignation).

D-16-451. In Re Joshua Rutland Morriss III, Arkansas Bar No. 76181, an Original Action. Petition of Joshua Rutland Morriss III, Arkansas Bar No. 76181, for voluntary surrender of license (resignation).

D-16-452. In Re Douglas Parker Bacon, Arkansas Bar No. 95277, an Original Action. Petition of Douglas Parker Bacon, Arkansas Bar No. 95277, for voluntary surrender of license (resignation).

D-16-453. In Re Marty P. Ward, Arkansas Bar No. 87181, an Original Action. Petition of Marty P. Ward, Arkansas Bar No. 87181, for voluntary surrender of license (resignation).

D-16-454. In Re Claire Cohen Cortright, Arkansas Bar No. 92214, an Original Action. Petition of Claire Cohen Cortright, Arkansas Bar No. 92214, for voluntary surrender of license (resignation).

CR-13-1006. Rolandis Lorenzo Chatmon v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se petition to reinvest jurisdiction in trial court to consider a petition for writ of error coram nobis and, alternatively, petition for writ of certiorari.

CR-15-967. Duane Gonder v. State of Arkansas, from Drew County Circuit Court. Petitioner's pro se motion for copy of the record at public expense.

CR-16-136. Daniel Vera v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion for extension of brief time.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 26, 2016

CASES SUBMITTED

CR-15-813. Phillip Floyd v. State of Arkansas, from Carroll County Circuit Court, Eastern District.

CV-15-345. Romario V. Waller v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court.

CV-15-1053. Courtyard Gardens Health and Rehabilitation, LLC, et al. v. Patricia Ann Sheffield, Special Administrator of the Estate of Maylissia Holliman, Deceased, from Clark County Circuit Court.